

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**MICHELLE HENRY individually,  
and as mother and next of [sic] friend,  
of ANNIESHA MONDESIR,**

**Plaintiffs,**

**v.**

**2004-CV-0096**

**KMART CORPORATION,**

**Defendant.**

**TO:** Lee J. Rohn, Esq.  
Wilfredo A. Geigel, Esq.

**ORDER REGARDING PLAINTIFF'S MOTION TO ENFORCE SETTLEMENT**

THIS MATTER came before the Court upon Plaintiff's Motion to Enforce Settlement as to Travel Expenses (Docket No. 101). Defendant filed an opposition to said motion, and Plaintiff filed a reply thereto.

Plaintiff claims that "Defendant continues to refuse to pay the agreed \$874.58 to Plaintiff Henry." Motion at 1-2. Defendant counters that the amount was paid. In her reply, Plaintiff acknowledges receipt of the check and, in fact, provided a copy of the check as an attachment. Because the amounts due have been paid, the Court finds the issue moot.

*Henry v. Kmart Corp.*  
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Accordingly, it is now hereby **ORDERED** that Plaintiff's Motion to Enforce Settlement as to Travel Expenses (Docket No. 101) is **DENIED AS MOOT**.

ENTER:

Dated: January 6, 2009

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*/s/*  
GEORGE W. CANNON, JR.  
U.S. MAGISTRATE JUDGE